IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

MISCELLANEOUS APPEAL NO.....63.../2003

APPELLANT
CLAIMANT

Sanjay Kumar @ Sanjeev Kumar, aged about 7 years S/O Phoolsingh Bhardwaj minor representing through natural gaurdian father Phoolsingh Bhardawaj, aged about 35 years, S/O Bahoran Bharadwaj by caste Satnami R/O Sendari, Police Station Koni Tehsil & Dist. Bilaspur (Chhattisgarh)

P.R. No. 1336/03
Presented by Shri M.K. Bhaduri
13.01.03

VERSUS

RESPONDENTS

1. Aanadd Pandey, aged about 32 years S/O Shivkumar Pandey by profession Zip Driver R/O village & post Ratanpur Police Station Ratanpur Tehsil + Kota District Bilaspur (C.G.)

2. Smt. Seema Gahlot W/O Ramesh Gahlot R/O 27 Kholi, Bilaspur Tehsil & Dist Bilaspur (Chhattisgarh)

3. The New India Insurance Company Limited, through Branch Manager Branch office Rajendra Nagar Chowk, Bilaspur Distt. Bilaspur (C.G.)

MISCELLANEOUS APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT AMENDED :-

HIGH COURT OF CHHATTISGARH; BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 63 OF 2003

Appellant : Sanjay Kumar @ Sanjeev Kumar

Versus

Respondents: Anand Pandey & Others

(Arising out of Claim Case No. 141 of 2001)

3-2-2007

Phoolsingh Bhardwaj father of appellant – Sanjay Kumar @ Sanjeev Kumar appears in person with Shri Malay Kumar Bhaduri, counsel for the appellant.

None for respondents No.1 and 2.

Shri. Sanjay Bhatt, Admn. Officer, The New India Assurance Co. Ltd. with Shri Anand Kumar Gupta, counsel for respondent No.3.

Phoolsingh Bhardwaj - father of appellant filed an application along with affidavit for permission to compromise the matter on behalf of appellant/minor – Sanjay Kumar @ Sanjeev Kumar.

Not opposed.

Considered. Allowed.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.22,000/- (Rupees Twenty Two Thousand Only) to the appellant.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs.220/- (Rupees Two Hundred Twenty Only) shall be paid to counsel for the appellant directly by respondent No.3 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Gowri